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5 IN THE UNITED STATES DISTRICT COURT  
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7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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9

UNITED STATES OF AMERICA,

No. CR 11-00622-01 CW

10 Plaintiff,

ORDER FOR PRETRIAL  
PREPARATION FOR  
CRIMINAL  
JURY TRIAL

11 v.

12 DONTAE JEROME JONES,

13 Defendant.  
14 \_\_\_\_\_ /  
15

Good cause appearing, it is hereby ordered that:

16 1. TRIAL DATE

17 a. Jury trial will begin on **Monday, April 30, 2012, at 8:30**  
18 **A.M.**, in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland,  
19 California.

20 b. The length of trial will be not more than three days.

21 2. DISCOVERY

22 Both sides will comply with the Federal Rules of Criminal  
23 Procedure, Crim. L.R. 16-1, and the United States will comply with  
24 Brady v. Maryland, 373 U.S. 83 (1963) and United States v. Agurs 427  
25 U.S. 97 (1976).

26 3. MOTIONS

27 Pretrial motions shall be noticed in accordance with Crim.

1 L.R. 47-2 for any available Tuesday on or before Tuesday, April 3,  
2 2012). If the motion cutoff has passed, counsel must move for  
3 permission of the Court to file a late motion.

4       4. PRETRIAL CONFERENCE

5           a. A pretrial conference will be held on Tuesday, **Tuesday,**  
6 **April 3, 2012**, in Courtroom 2. It shall be attended by the attorneys  
7 who will try the case.

8           b. **Not less than one week prior to the pretrial conference**,  
9 counsel shall comply with Crim. L.R. 17-1(b).

10          c. Jury instructions §1.1 through §1.12, §3.1 through §3.10  
11 and §7.1 through §7.6 from the most recent Manual of Model Jury  
12 Instructions for the Ninth Circuit will be given absent objection.  
13 Counsel shall jointly submit one set of additional proposed jury  
14 instructions, ordered in a logical sequence, together with a table of  
15 contents, using the Ninth Circuit Manual where possible, or Devitt and  
16 Blackmar or CALJIC, **not less than one week prior to the pretrial**  
17 **conference**. Any instructions on which counsel cannot agree shall be  
18 marked as "disputed," and shall be included within the jointly  
19 submitted instructions and accompanying table of contents, in the  
20 place where the party proposing the instruction believes it should be  
21 given. Argument and authority for and against each disputed  
22 instruction shall be included as part of the joint submission, on  
23 separate sheets directly following the disputed instruction. Counsel  
24 for the United States shall submit a verdict form. The attached voir  
25 dire will be given to the venire members. Counsel should submit an  
26 agreed upon set of additional requested voir dire questions to be  
27 posed by the Court. Any voir dire questions on which counsel cannot  
28 agree shall be submitted separately. Counsel will be allowed brief

1 follow-up voir dire after the Court's questioning. Any motions in  
2 limine should be noticed for hearing at the pretrial conference in  
3 accordance with Criminal Local Rule 47-2. Each parties motions in  
4 limine shall be contained in a single document. The opposition shall  
5 also be contained in a single document.

## 6 || 5. JURY SELECTION

The Jury Commissioner will summon 35 to 40 prospective jurors. The Courtroom Deputy will select their names at random and seat them in the courtroom in the order in which their names are called.

11 Voir dire will be asked of sufficient venire persons so that  
12 twelve (plus a sufficient number for alternates) will remain after all  
13 peremptory challenges and an anticipated number of hardship dismissals  
14 and cause challenges have been made.

15       The Court will then take cause challenges, and discuss hardship  
16 claims from the individual jurors, outside the presence of the venire.  
17 The Court will inform the attorneys which hardship claims and cause  
18 challenges will be granted, but will not announce those dismissals  
19 until the process is completed. Peremptory challenges will be made  
20 in writing and passed between counsel in accordance with Crim. L.R.  
21 24-2 and 24-3. The Court will strike the persons with meritorious  
22 hardships, those excused for cause, and those challenged peremptorily,  
23 and call the first twelve people (plus alternates) in numerical  
24 sequence remaining. Those people will be the jury.

26 | Dated: 1/10/2012

Claudia Wilken  
CLAUDIA WILKEN  
United States District Judge

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## JUROR QUESTIONNAIRE

Please fill out this form as completely as possible and print clearly. Since we want to make copies for the attorneys and the Court, do not write on the back of any page. If you need more room, continue at the bottom of the page. Thank you for your cooperation.

1. Your name: \_\_\_\_\_
  2. Your age: \_\_\_\_\_
  3. The city where you live: \_\_\_\_\_  
How long have you lived there: \_\_\_\_\_
  4. Your place of birth: \_\_\_\_\_
  5. Do you rent or own your own home? \_\_\_\_\_
  6. Your marital status: (circle one)  
 single     married     live with partner     separated     divorced     widowed
  7. What is your occupation, and how long have you worked in it? (If you are retired, please describe your main occupation when you were working).  
\_\_\_\_\_  
\_\_\_\_\_
  8. Who is (or was) your employer?  
\_\_\_\_\_  
\_\_\_\_\_
  9. How long have you worked for this employer? \_\_\_\_\_
  10. Please list the occupations of any adults with whom you live.  
\_\_\_\_\_  
\_\_\_\_\_
  11. If you have children, please list their ages and sex and, if they are employed, please give their occupations.  
\_\_\_\_\_  
\_\_\_\_\_

1 12. Please describe your educational background:

2 Highest grade completed: \_\_\_\_\_

3 College and/or vocational schools you have attended:

4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

7 Major areas of study: \_\_\_\_\_

8 13. Have you ever served on a jury before? \_\_\_\_\_ How many

9 times? \_\_\_\_\_

10 If yes: State/County Court \_\_\_\_\_ Federal Court \_\_\_\_\_

11 When? \_\_\_\_\_

12 Was it a civil or criminal case? \_\_\_\_\_

13 Did the jury(ies) reach a verdict? \_\_\_\_\_

14 14. Attached is a list of the parties in this case, the law firms  
15 representing the parties, attorneys in this case, and persons  
16 who are potential witnesses in this case. Do you know, or think  
17 you know, any of the persons listed?

18 Yes: \_\_\_\_\_ No: \_\_\_\_\_

19 If so, make a check next to their name.

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